

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

LUBBER, INC.,)	
)	
Plaintiff)	
Counter-Defendant)	
)	Case No. 3:11-0042
v.)	Judge Sharp/Brown
)	Jury Demand
OPTARI LLC and JEREMIAH PENT,)	
)	
Defendants)	
Counterclaimants)	

SECOND AMENDED CASE MANAGEMENT ORDER

Pursuant to the Order entered March 30, 2012 (Docket Entry 156), Plaintiff/Counter-Defendant, Lubber, Inc., and Defendants/ Counterclaimants, Optari LLC and Jeremiah Pent, have submitted a proposed Amended Case Management Order. The parties propose that the Initial Case Management Order (Docket Entry 38), as amended by the Amended Case Management Order entered October 24, 2011 (Docket Entry 97), and the Order entered March 15, 2012 (Docket Entry 153), be amended as set forth below. The Initial Case Management Order shall continue to govern the parties in all other respects.

4. Discovery

B. Discovery Deadlines. The parties shall complete all written discovery and depose all fact witnesses on or before **July 20, 2012**. No motions concerning discovery are to be filed until after the parties have conferred in good faith and, unable to

resolve their differences, have scheduled and participated in a conference phone call with Magistrate Judge Brown.

C. Experts. Plaintiff/Counter-Defendant shall provide Rule 26 expert witness disclosures by **July 30, 2012**. Defendants/Counterclaimants shall provide Rule 26 expert witness disclosures by **August 27, 2012**. All depositions of expert witnesses shall be completed by **September 24, 2012**.

5. Dispositive Motions and Briefing Schedule. The deadline for filing dispositive motions is **September 24, 2012**, and briefs shall not exceed **25 pages** without leave of Court. Any response to a dispositive motion shall be filed no later than **28 days** after the filing of a motion. Optional replies are permitted but may be no longer than **five pages** without leave of Court and must be filed within **14 days** after the filing of any response. If dispositive motions are filed early, the response and reply dates are moved up accordingly.

9. Alternative Dispute Resolution. The parties have scheduled mediation for **June 20, 2012 at 9:30 a.m.**

10. Trial. The parties estimate that this jury trial will take four days, depending on what issues remain for trial. After consulting with Judge Sharp's courtroom deputy, this matter has been rescheduled for trial on **March 19, 2013, at 9:00 a.m.** Judge Sharp will conduct the final pretrial conference on **February 25, 2013, at 3:30 p.m.** Judge Sharp will issue a separate order

covering his requirements for the final pretrial conference and the trial.

It is so **ORDERED**.

/s/ Joe B. Brown
JOE B. BROWN
United States Magistrate Judge